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Crl.M.P.No.1028 of 2024
in Crl.R.C.No.1535 of 2023

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M.NIRMAL KUMAR., J.

This Criminal Miscellaneous Petition is filed to condone the delay of 27 days in filing the restoration petition in Crl.R.C.No.1535 of 2023.

2.Today, the learned counsel for the respondent strongly objected for this petition for the reason that the affidavit has been given with wrong particulars. He further submitted that the maintenance case petition was not dismissed for non-prosecution and it was dismissed on merits. He would further submit that there is an arrears of maintenance amount of around Rs.12,00,000/-. He further submitted that the school fees for the children to be paid during February 2024 and to show his bonafide the petitioner shall make some payment.

M.NIRMAL KUMAR.J.,



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3.The learned counsel for the petitioner handed over a cheque bearing No.000015 drawn on HDFC Bank for a sum of Rs.1,40,000/- to the learned counsel for the respondent and submits that the delay may be condoned and at the time of admission, he can satisfy the Court about the genuineness of his contention.

4.In view of the above, the delay stands condoned and the petition is ordered. The Registry is directed to number the Criminal Appeal, if it is otherwise in order.

22.02.2024

cse

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